

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 27 2007

In re Application of:

Rieger et al.

Serial No. 10/074,299

Filed: February 12, 2002

For: System and Method for Evaluating Real
Estate Transactions

Art Unit: 3693

Confirmation No. 6408

Examiner: K. Bartley

DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. § 1.131

1. We, Robert Rieger, Thomas Tyson Lowery, and Catherine Dunn, are co inventors of the invention claimed in Application Serial Number 10/074,299, filed February 12, 2002 and entitled *System and Method for Evaluating Real Estate Transactions* (hereinafter the "pending application"). We are over the age of eighteen and provide this Declaration freely and voluntarily, based upon our personal knowledge or information and belief.
2. The present application has been assigned to the current and sole assignee, General Electric Capital Corporation ("GECC"), as evidenced by Reel 012597 and Frame 0970 of the recordation records at the U.S. Patent and Trademark Office.
3. We, Robert Rieger, Thomas Tyson Lowery, and Catherine Dunn, were hired by GECC to, among other duties, create the invention described and claimed in the present application. The technology disclosed in the present application is generally referred to at GECC as the Digital Deal Screen (DDS). The technology disclosed and claimed in the present application has also been referred to as the Digital Deal Evaluator.

Serial No. 10/074,299

4. We, Robert Rieger, Thomas Tyson Lowery, and Catherine Dunn, conceived of the invention claimed in the present patent application and actually reduced the invention to practice in the United States.
5. We conceived of the invention as claimed in the current pending patent application, Serial Number 10/074,299, prior to January 31, 2002.
6. During the year 2001, we prepared a Request for Proposal for information technology vendors to submit bids to assist us with building the Digital Deal Screen. The Request for Proposal contains detailed information about the features of the Digital Deal Screen and how the system would operate.
7. Throughout the year 2001, we continued to work towards building the Digital Deal Screen. In the Fall of 2001 we completed and operated a pilot version of the Digital Deal Screen for testing within GECC. In connection with the pilot version completed in the Fall of 2001, we prepared a Digital Deal Screen User Guide Demonstration Document ("User Guide"), which is attached to this declaration as Exhibit 1. The User Guide presents descriptions and images of exemplary embodiments of the claimed invention.
8. Exhibit 1 shows the following elements of Claim 1:
 - a. receiving identifying information comprising at least one of product type, collateral type, and geographic market (pages 6, 10, and 14 of the User Guide show the DDS designed to accept identifying information including a product type, a collateral type, and a geographic market);
 - b. determining whether the identifying information is acceptable (pages 6, 10, and 14 of the User Guide show an indication of whether there is a high,

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- medium, or low market hurdle for the collateral based on the product type and geographic market);
- c. if the identifying information is acceptable, receiving product specific information comprising at least one of an amount of the product, a term of the product, a fee associated with the product, a collateral age, and a collateral income (pages 7, 11, and 15 of the User Guide show the DDS is designed to receive product specific information including a loan amount, a term, a fee associated with the loan, a collateral age, and a collateral income);
 - d. determining a probability that the transaction will be approved based on the product specific information (pages 8, 12, and 16 of the User Guide show the results of calculations of the probability the transaction will be approved); and
 - e. presenting the probability (pages 8, 12, 16 of the User Guide show a graph displaying the probability calculations).
9. The aforementioned pages of the User Guide also illustrate the elements recited in independent Claims 8, 18, and 25.
10. The User Guide also shows the following elements of Claim 35:
- a. a server computer coupled to a client via a computer network (pages 2 and 3 of the User Guide show the method for a client computer to log into the DDS intranet site hosted at a server);
 - b. a transaction evaluator software module running on the server and operable for receiving data describing the transaction and calculating the price of the transaction for a range of proceed values (pages 6-8 and 10-12 of the User

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Guide show the DDS receiving transaction data and calculating price and proceed values); and

- c. a data source operable for supplying predetermined criteria for evaluating the transaction to the transaction evaluator software module (page 3 of the User Guide shows examples of data sources, such as the On-book Debt Pricing Matrix and the CMBS Pricing Matrix, that are available for the DDS).

11. We actually reduced the claimed invention to practice before January 31, 2002, working diligently from the date of conception.
12. Any use of the claimed invention as shown in Exhibit 1 was not a public use of the invention. The work in connection with Exhibit 1 was an experimental use of the claimed invention and all work was performed either internally at GFCC or under non-disclosure agreements. The claimed invention was not sold as part of any experiment.
13. I declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I acknowledge that willful false statements are punishable by fine or imprisonment or both under 18 U.S.C. §1001 and may jeopardize the validity of the application or any patent issuing thereon.

[Signature Pages Follow]

Serial No. 10074,299

EXECUTION PAGE FOR ROBERT RIEGER



Robert Rieger

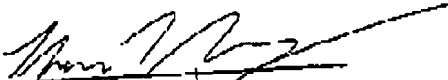
4/12/2007
Date

04/26/2007 13:03

6123/rhdbb

Serial No. 10074,298

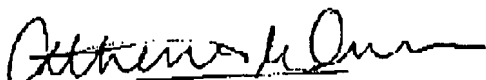
EXECUTION PAGE FOR THOMAS TYSON LOWERY


Thomas Tyson Lowery

4/26/07
Date

Serial No. 10/074,299

EXECUTION PAGE FOR CATHERINE DUNN


Catherine Dunn

4/16/2007
Date

K&S Docket: 21300.105009 US
10/2006

EXHIBIT 1

Digital Deal Screen

User Guide Demonstration Document

Robert Rieger

1

10-02-2001

Inside GE

Home eBusiness Services
 Stock 37.59 0.05 13:29 ET Oct 02, 2001
Spotlight more stories...
 GE and Honeywell Terminate Merger Agreement
 See GE's New TV Commercials Airing Now
 Business Week: A Q&A With Jeffrey Immelt

CapitalRealEstate.com eCommunicator eBusiness/Quality

reality



Spotlight
 General Electric 20 55% PRINCIPAL CAPITAL GROUP in the Central
 (more...)

announcements

LEADS
 Financial Information Portal
 with 2001 M&A Statistics

Estate News

Archival Menu Trees Created

Save \$
 with **GE**
 Marketplace

A Word from the CEO

Collaboration

• Start or Join a Meeting
 • Generate Collaboration Site

eCommunicator

Jump to a Section

Intranet Sites

Jump to a Site

- Corporate Real Estate
- Corporate Footprints Dashboard
- Cost & Productivity
- Customer Database
- Deals
- Digital Cockpit
- e-EMS
- eBusiness/Quality
- Engineering
- Europe
- Finance

Look for
 "Digital Deal Screen"
 and select.

GE
 HISTORY
 CNBC

Support Center
 Updates
 Alerts
 News
 Press
 Investor
 Site Map

Options **news desk** **more favorites**
 my productivity center
 how do I...
 click here to select

my favorites

- Access to find
- Check your email
- Currency converter
- Currency performance
- Driving directions
- GE acronyms
- GE locations search
- Get local news

Click here to add your own favorites

Have you already customized?

• Enter your e-mail below

Get

Unknown Zone

2

GE Capital Real Estate

DDS Logon

Digital Deal Screen - Logon

User Name: Password:

User Inputs First Name Initial and Last Name i.e. "JSmith"

Links to the Pricing Matrixes Strike Zone Information, GE Hurdle Data and Risk's Valuation Assumption Guidelines on the Internetnet.

These sources include:

- On-bank Debt Pricing Matrix
- CMES Pricing Matrix
- Strike Zone Information
- GE Hurdle Data
- Valuation Assumption Guidelines

Navigation - 1 - Enter first initial and last Name E.g. JSmith
2 - Hit "go" Button

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Statistics - see appendix

Shows results for
H - Hurdle Markets and
P - Probability

Deal Summary

My scenarios

Market: Product: Name:

Existing deals: Status: New deal.

Deal by: Last 30 days

Actor	Market	Product	Equity, Value Or Opportunity (1-3 yr)	Referral	Originator	Name	Version	Saved
Ed Copy	Atlanta	CHES	Office	Office	Sample User	Relat Equity	1	1/12/01
Ed Copy	Denver	CHES	Office	Office	Sample User	Relat Equity	1	9/12/01
Ed Copy	Denver	CHES	Office	Office	Sample User	Relat Equity	1	9/26/01
Ed Copy	Denver	CHES	Office	Office	Sample User	Relat Equity	1	9/26/01
Ed Copy	Denver	CHES	Office	Office	Sample User	Relat Equity	1	10/2/01
Ed Copy	Denver	CHES	Office	Office	Sample User	Relat Equity	2	9/26/01
Ed Copy	Los Angeles	On-book Debt, (1-5 yr)	Home	Home	Sample User	Relat Equity	1	9/26/01
Ed Copy	New York City	On-book Debt, (1-5 yr)	Office	Office	Sample User	Relat Equity	1	9/26/01
Ed Copy	Richmond	On-book Debt, (1-5 yr)	Office	Office	Sample User	Relat Equity	1	9/26/01
Ed Copy	Richmond	On-book Debt, (1-5 yr)	Office	Office	Sample User	Relat Equity	1	9/26/01

Relevant Listing of Tool/Resource Links

Navigation - 1 - Under Market and 2 - Click on the Edit Button to See Deal Parameters
Screen Commentary - Can Sort / Search Deals by Market, Collateral or Deal Type. Links on Left Side of Screen
Give Dynamic Market and Pricing Data As Well As Underwriting Guidelines, and Real Estate's Pipeline Status

CMBS - Demo

WELCOME
 GE Capital Real Estate
 Top OA

Stash:
 Home

- GE Intranet
- Digital Code 11
- S23RE
- Market @ a Glance
- SEC 401k
- Real Estate.com
- PPR
- On-book Debt
- Pricing Matrix
- CMBS Pricing Matrix
- Site Zoning Information
- GE Hurdle Data
- Valuation Assumption Guidelines

Parameters

Details

Probability

Navigation Wizard throughout the tool.

Information Icons take the user to relevant links to assist through the quoting process.

Gives an indication as to GE CRE's appetite for the collateral based on the market and product type.

Denver Office CMBS version 1

Navigation

Deal Name

Market

Product Type

Collateral Type

Collateral Subtype

Notes

Market Hurdle

Use Current Date Set

Denver Office CMBS

Denver

CMBS

Mixed

Office

General Office

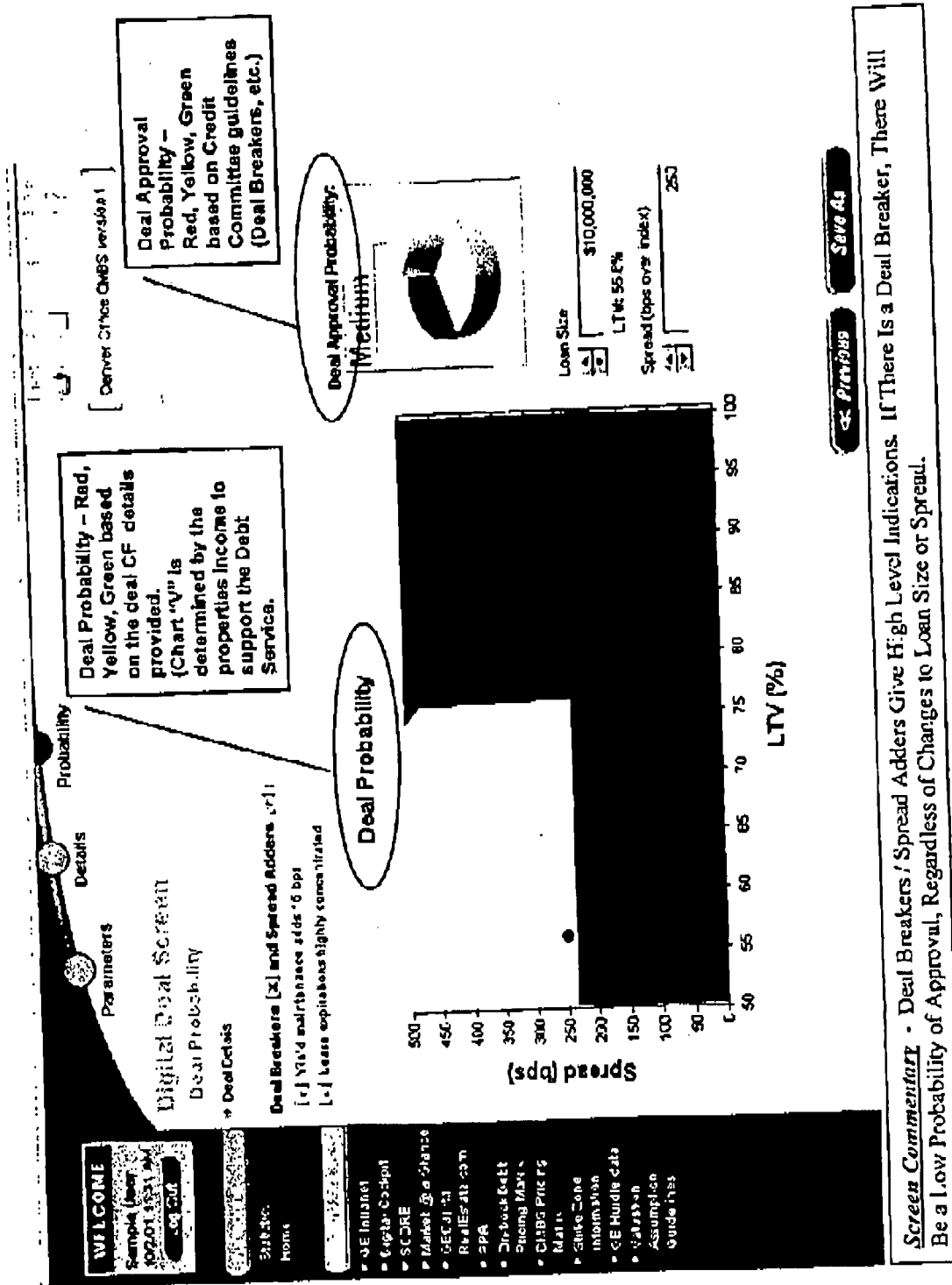
Low Med High

Next >>

Navigation - To Move to Next (Details) Screen Click Either Next (at the Bottom of the Page) or Details at the Top of the Page

Screen Commentary - Screen Shows High Level Deal Parameters and Market Hurdle Type.

Click Either Next (Bottom of Page) or Probability (Top of Page)



On Book Debt - Demo

PAGE 29/41 * RCVD AT 4/27/2007 3:56:31 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-617 * DNS:2738300 * CSID:404 572 5134 * DURATION (mm:ss):16:36

WELCOM
 Sample User
 102071311
 Log Out

Statistics
 Home

Real Estate
 • 63 Interest
 • Digital Product
 • S.ORE
 • Market & a Glance
 • SEC Capital
 • RealEstate.com
 • PPF
 • Credit Card
 • Pricing Model
 • CIGS Pricing
 • Matter
 • State Zone
 • Information
 • OE Profile data
 • Valuation
 • Assumption
 • Guidelines

Deal Details
 Loan Specifics
 Amortization
 Term
 Collateralization
 Deal Purpose
 Upfront Fees
 Exit Fees
 Rate Cap
 Asset Specific
 Age of Building
 Lease-Up to Stabilization
 Anchor Quality
 5 Year Tenant Turnover
 Customer

Details
 Loan Size
 NO e1w Replacement Reserves
 Cap Rate

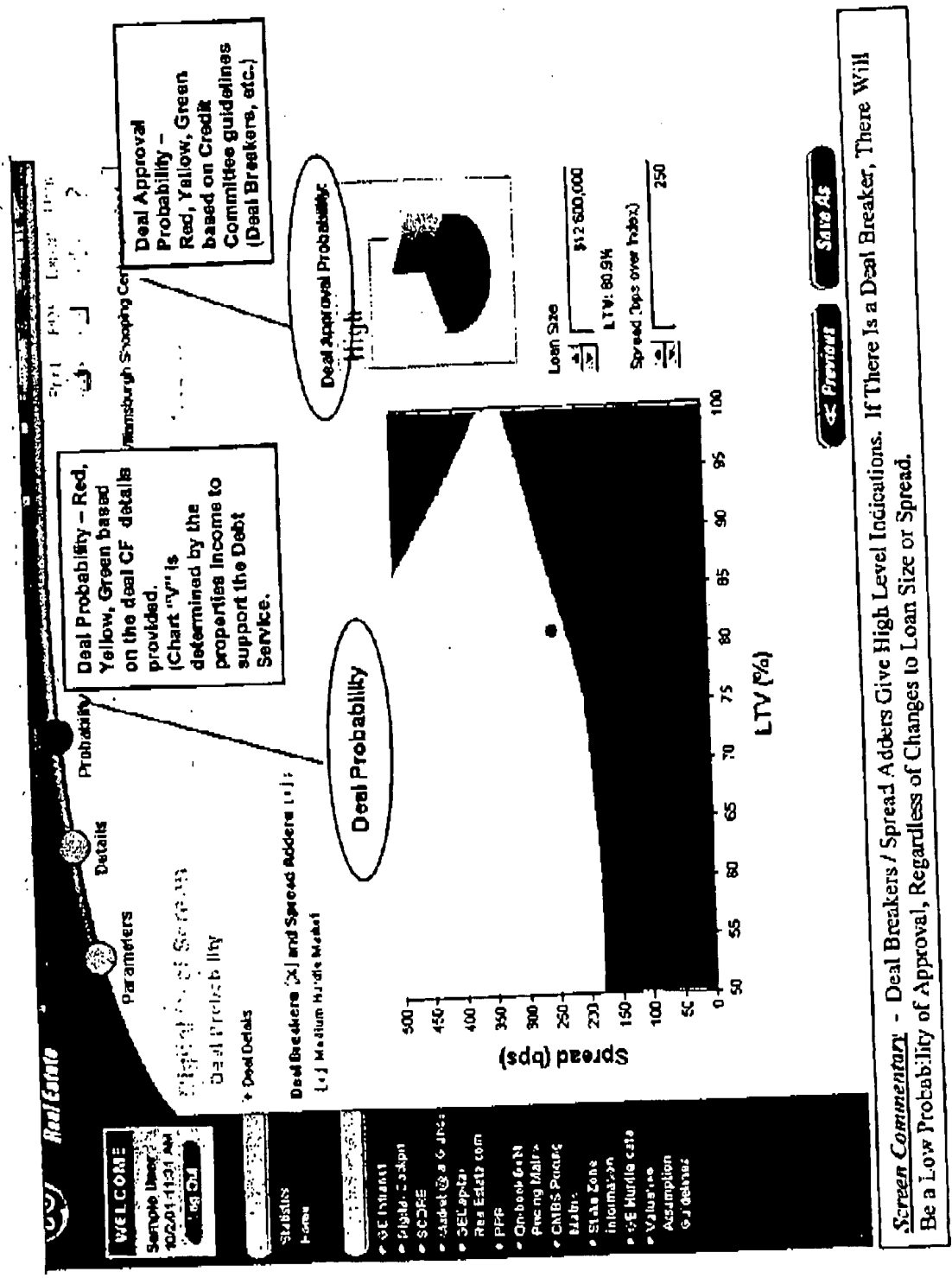
Parameters
 Digital Deal Screen
 Deal Details
 Probability

Wilmington Shopping Center Worksheet

Drop down boxes provide ease of input use and quick screen analysis.

None (Interest only)	3 years	Single property	Purchase, >27% equity	0.81-1.25%	1.71-2.50%	No	10-15 yrs or major rehab over 5 yrs ago	No lease-up required to stabilize	Anchor related EEB or other	21-40%	New	\$12,600,000	\$1,503,000	Spread (bps over index)	CF before Debt Service

Navigation - To Move to Next (Probability) Screen, Click Either Next (Bottom of Page) or Probability (Top of Page)



Equity - Demo

GE Capital Real Estate

WELCOME
 Session User: 00000000000000000000
 Log Out

Navigation
 Home
 GE Financial
 Capital Markets
 SCORE
 Marketing & Finance
 GE Capital Real Estate
 PPR
 On-board/Deal
 Pricing Matrix
 CUES Pricing Matrix
 Sales Zone
 Transaction
 GE Hurdle Costs
 Valuation
 Acquisition
 Guidelines

Digital Deal Screen

Deal Details

Deal Specific
 Deal
 Customer
 Customer Experience
 LTV (%)
 Asset Specific
 Asset Class
 Location
 Details
 GEORE Equity Investment
 Notes

Parameters
 Details
 Probability

Stand alone
 Existing Equity Customer
 1-3 deals
 70-80%
 A
 WSA population > 250,000
 \$10,000,000
 Expected GEORE RRR
 18%

Drop down boxes provide ease of input use and quick screen analysis.

Previous Next

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Navigation - To Move to Next (Probability) Screen, Click Either Next (Bottom of Page) or Probability (Top of Page)

GE Capital
Real Estate

DDS
Deal Decision System

Still Go Back Forward Print Help

Real Estate version 1

Parameters

Details

Probability

Digital Deal Screen
 Deal Probability
 + Deal Details

Deal Breakers (X):
 None

Deal Approval Probability:
 High

Deal Approval Probability -
 Red, Yellow, Green
 based on Credit
 Committee guidelines
 (Deal Breakers, etc.)

WELCOME
 Log Out

Sitelinks
 Home

- GE Internal
- GE Internal
- SCORE
- Dates & Delinquency
- GE Capital
- Real Estate.com
- PER
- Debit Card
- Pending Items
- CUPS Pricing
- Mobile
- Share Core Information
- GE Real Estate
- Valuation Assumptions
- Guidelines

Save As

Previous

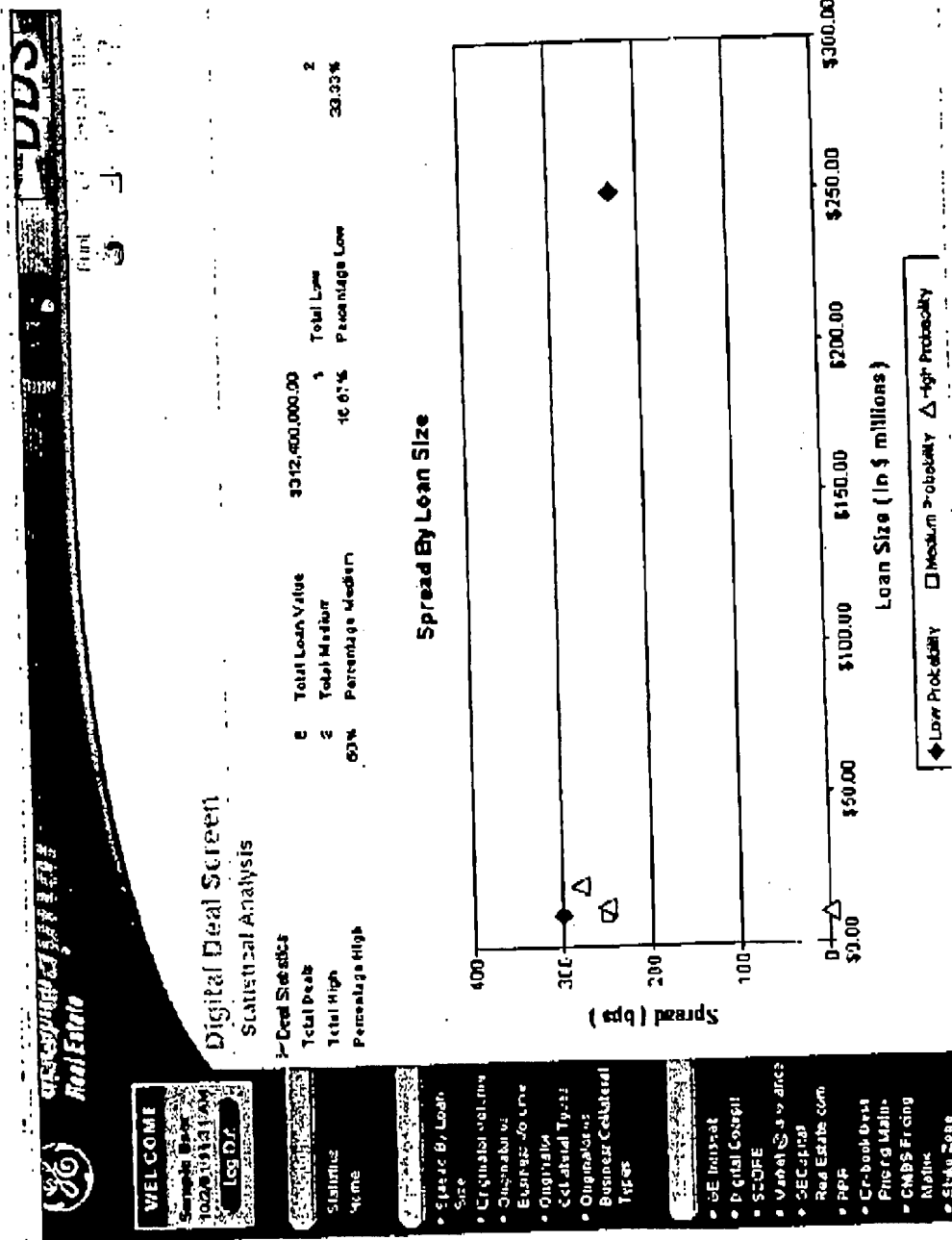
Print this deal

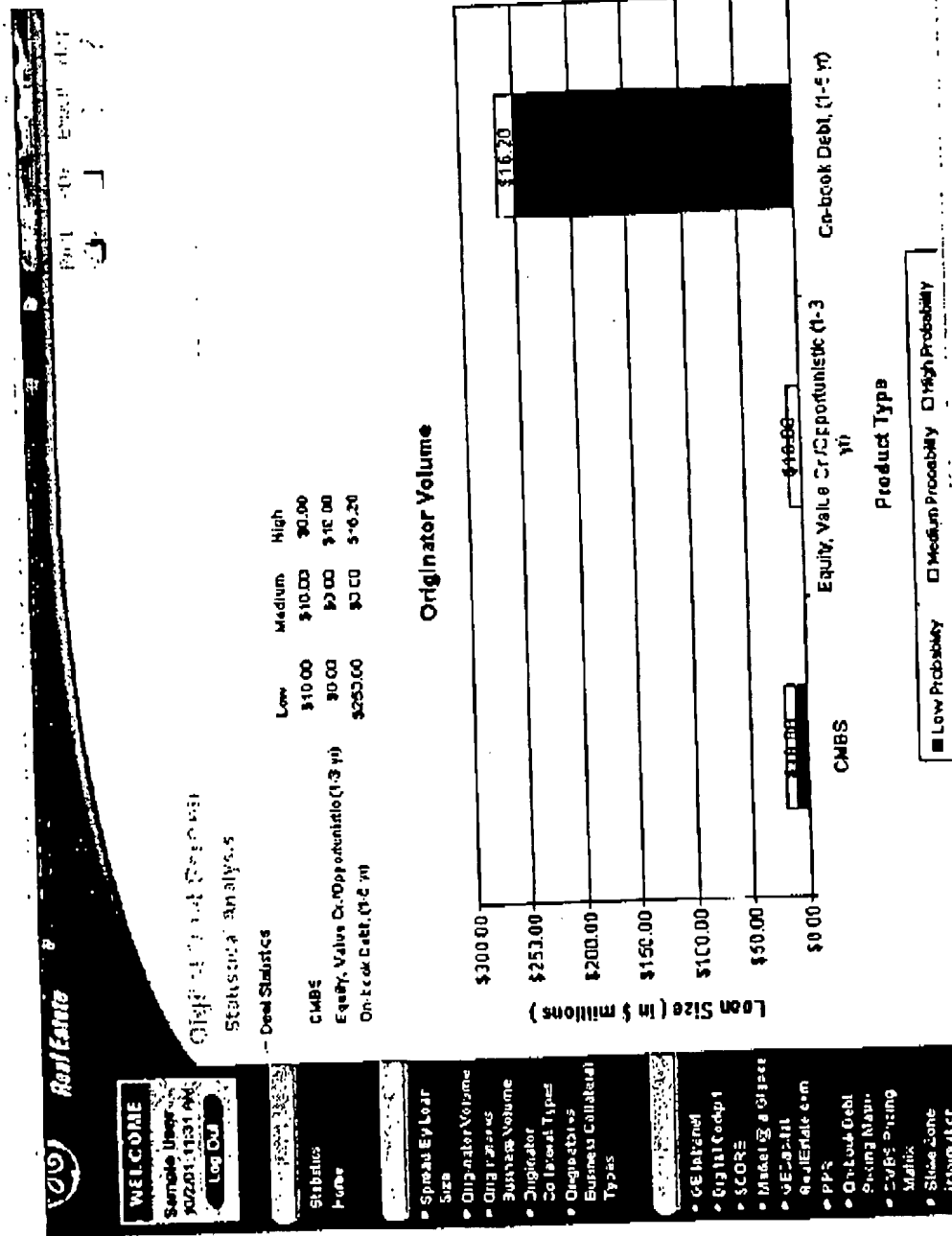
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Screen Commentary - Deal Breakers / Spread Adders Give High Level Indications.
 If There Is a Deal Breaker, There Will Be a Low Probability of Approval

Statistics Appendix

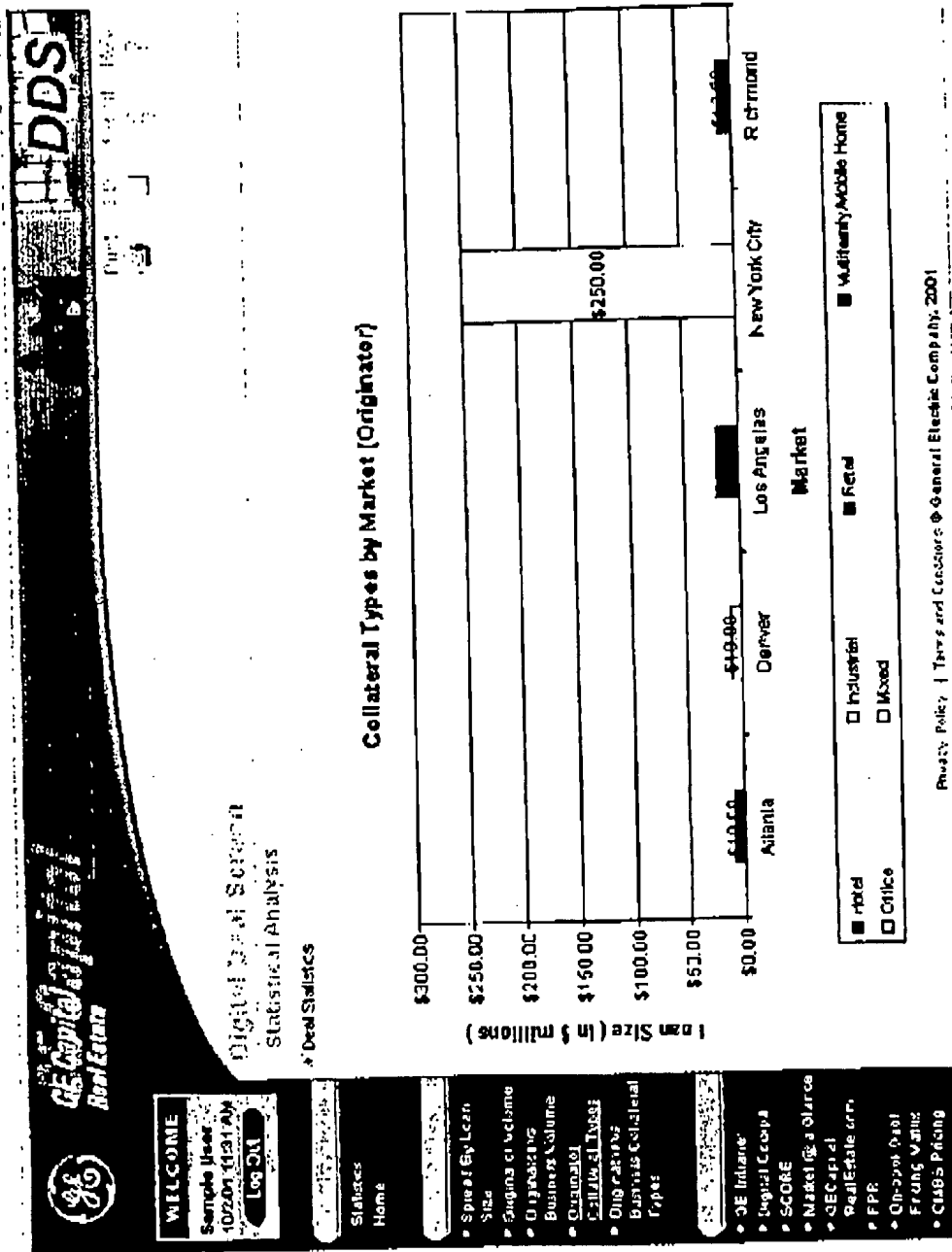
18





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*PAGE 41/41 * RCVD AT 4/27/2007 3:56:31 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/7 * DNIS:2738300 * CSID:404 572 5134 * DURATION (mm:ss):16:36